

**MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER  
JUNE 13, 2006**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, June 13, 2006 in the Council Chambers of City Hall located at 610 Main Street.

**CALL TO ORDER**

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

**ROLL CALL**

Mayor William J. Schmitt	present
Board member Victor J. Knies	present
Board member Thomas R. Schmidt	present

Also present were Police Chief Richard Gunselman, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Building Commissioner David Seger Fire Chief Kenneth Hochgesang, City Attorney Sandra Hemmerlein and Clerk-Treasurer Juanita Boehm. Personnel/Safety Director Charles Schneider was absent.

Clerk-Treasurer Juanita Boehm announced that a majority of the board members must be present for a quorum. All three of the board members were present; therefore, there was a quorum for the meeting.

**PLEDGE OF ALLEGIANCE**

Mayor Schmitt invited all present to join him in the Pledge of Allegiance.

**APPROVAL OF THE MINUTES**

The board members examined the minutes of the regular meeting held on May 23, 2006. A **motion** was made by Victor Knies and seconded by Thomas Schmidt to approve the minutes as presented. Motion carried 3-0.

**ASSISTANT POLICE CHIEF APPOINTMENT**

Mayor Schmitt reported that since Assistant Police Chief J. P. Weisheit retired, there was an opening for a new assistant police chief. Mayor Schmitt announced the appointment of Sergeant Jeff R. Carie to assistant police chief. Mayor Schmitt then make a conditional offer of employment to Jeff R. Carie for the position of Jasper Police Department Assistant Police Chief and that the position become effective at a later date after all conditions of the conditional offer of employment are met.

**TEMPORARY STREET CLOSURE – W. 7<sup>TH</sup> STREET**

Steve Hall, 410 W. 7<sup>th</sup> Street, requested closing West 7<sup>th</sup> Street from St. John Street to Tamarack Street on Monday, July 3, 2006 from 4:00 p.m. – 10:00 p.m. for a neighborhood block party. Mayor Schmitt requested Mr. Hall contact the street department for barricades and to notify the police and fire departments of the street closure.

On **motion** by Mayor Schmitt and seconded by Victor Knies, approval was given to close W. 7<sup>th</sup> Street from St. John Street to Tamarack Street on Monday, July 3, 2006 from 4:00 p.m. – 10:00 p.m. for a neighborhood block party. Motion passed 3-0.

### **TEMPORARY STREET CLOSURE – W. 7<sup>TH</sup> STREET**

Police Chief Richard Gunselman reported that Mary Young would be moving her household furniture into 415 W. 7<sup>th</sup> Street on Wednesday, July 5, 2006 and had requested parking the moving van on the street that day. Gunselman stated that there is parking allowed only on the north side of 7<sup>th</sup> Street and Ms. Young's residence is on the south side, which would mean the whole street would be blocked. Mayor Schmitt said he would prefer eliminating parking on the north side of the street for moving day so that the moving truck can park on the south side. He asked the street commissioner to supply traffic cones as needed.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, approval was given to Mary Young, 415 W. 7<sup>th</sup> Street, to park a moving truck on the south side of W. 7<sup>th</sup> Street on Wednesday, July 5, 2006 between St. John Street and Tamarack Street and to eliminate parking temporarily on the north side of W. 7<sup>th</sup> Street for moving day. Motion passed 3-0.

### **DUBOIS COUNTY SUICIDE PREVENTION ANNUAL WALK**

Janet Schnell, President of Survivors of Suicide of Dubois County and a member of the Indiana Coalition for Suicide Prevention, announced plans to hold an awareness walk called "A Bridge to Hope" on Saturday, September 16, 2006 from 9:00 a.m. to 12:00 p.m. Ms. Schnell requested a police escort in front and back of the walkers. She said she was not sure how many walkers would participate because this was the first year for the event. She then presented the following route:

Start at the large parking lot in the back of Jasper Cinemas  
Walk North over the Veterans Memorial Bridge along Newton Street  
Turn East onto Third Avenue  
Turn North onto Main Street  
Around Court House  
South on Main Street  
West on Third Avenue  
South on Newton Street

There followed some discussion about the proposed route. Police Chief Gunselman was concerned because the route would be on state highways and would take extra police personnel for the escort. Instead of turning east onto Third Avenue, Mayor Schmitt suggested turning east on Second Street; thus, walkers would be crossing Third Avenue instead of walking along a state highway. City Attorney Sandra Hemmerlein requested a signed waiver from participants releasing the City from any liability.

On **motion** by Thomas Schmidt and seconded by Victor Knies, approval was given for the Dubois County Suicide Prevention group to hold a Walk on Saturday, September 16, 2006 from 9 a.m. to 12 noon on condition the group uses the amended route, has all necessary paperwork, including a waiver on the registration form exempting the City of Jasper from liability, and work with the police department regarding an escort in front and in back of the walkers. Motion passed 3-0.

### **MISSIONARY TABLE ON SQUARE**

Elder Eric Calahan, representing the Church of Jesus Christ of Latter Day Saints, requested setting a table in a corner of the Square for their missionaries to hand out free brochures and DVD's concerning information about their church. He said they would like to place their table on the sidewalk from 11 a.m. to 2 p.m. on a Wednesday once a month or occasionally. Mayor Schmitt stated that he was not sure if this was possible because of the issue of separation of Church and Government and requested the City Attorney to do some research on the matter. Mayor Schmitt asked if this would be a one-time event. Elder Calahan responded that they were amenable to one and see how it goes. Victor Knies said he would be reluctant to give a blanket approval as groups usually ask for a one-time event.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, the request of the Church of Jesus Christ of Latter Day Saints to place an information table on the sidewalk on the Square was tabled until a future meeting. Motion passed 3-0.

### **MARCH OF DIMES "WALK AMERICA"**

Amy Schnarr, representing March of Dimes, requested use of the Dave Buehler Plaza, Shelter Houses and Riverwalk on Sunday, October 15, 2006 from 10:00 a.m. to 3:00 p.m. for the annual "Walk America" event. Ms. Schnarr also requested using Jackson, Mill and 6<sup>th</sup> Streets and around the Court House Square for the walk. During discussion, City Attorney Sandra Hemmerlein stated that she would provide Ms. Schnarr with the necessary language for the registration forms.

On **motion** by Victor Knies and seconded by Thomas Schmidt, approval was given to the March of Dimes to use the Dave Buehler Plaza, Shelter houses, Riverwalk and the above-given streets for the annual "Walk America" event on Sunday, October 15, 2006 from 10 a.m. to 3 p.m. on condition all paperwork complies with City requirements. Motion passed 3-0.

### **FARMERS MARKET**

Phil Barth, representing the Greater Downtown Jasper Business Association, requested use of the Train Depot, parking lot and grassy area for a farmers market on Saturdays from July 1 through September 30, 2006 from 7 a.m. to noon. He also requested use of the rest room facilities at the depot. He presented a waiver and said each vendor would be required to sign a waiver releasing the City of Jasper and the Downtown Merchants from any claims against them.

On **motion** by Mayor Schmitt and seconded by Victor Knies, approval was given to grant the request of the Greater Downtown Jasper Business Association to use the area of the Depot and the area under the Great Oak Tree as a Farmers Market for the year 2006 every Saturday from July 1 through September 30 from the hours of 7 a.m. to noon. Motion passed 3-0.

### **WATERSHED EVENT AT PLAZA**

Wes Garris, Storm Water Coordinator reported that he was involved with the Partnership for the Upper Patoka River Conservancy, and introduced Blair Borries, Program Director for the group. Mr. Borries requested use of the Dave Buehler Plaza on Thursday, July 20, from 6-10 p.m. for a watershed event. Mr. Borries stated that performer Paul Ash would provide music from 7-9 p.m. Also, there would be programs to teach people about landscaping techniques with positive solutions to keep

the water clean. Garris said he would be participating in this event as part of the public education program. There followed some discussion about scout troops selling food. Fire Chief Kenny Hochgesang stated that any sale of food would require a permit from the State Fire Marshal.

On **motion** by Thomas Schmidt and seconded by Mayor Schmitt, approval was given to Partnership for the Upper Patoka River Conservancy to hold a Watershed event on the Dave Buehler Plaza and Riverwalk on Thursday, July 20, 2006 from 6:00-10:00 p.m. Motion passed 3-0.

### **INDIANAPOLIS COLTS PRE-SEASON TOUR**

Mayor Schmitt reported that the Indianapolis Colts have requested the use of the Train Depot for a stop on their pre-season tour on Friday, July 14, 2006 from noon to 2 p.m.

On **motion** by Victor Knies and seconded by Thomas Schmidt, approval was given to the Indianapolis Colts to use the Train Depot for their pre-season tour on Friday, July 14, 2006 from noon to 2 p.m. Motion passed 3-0.

### **NATIONAL SAFETY MONTH**

Mayor Schmitt read a memo from Charlie Schneider, Personnel and Safety Director. The memo was in regards to June being National Safety Month. Mayor Schmitt then read the Proclamation proclaiming June as National Safety Month.

### **HIGH WEED COMPLAINTS**

Street Commissioner Raymond Eckerle reported for publication the names of property owners that had been cited under section 5.12.040, weed removal/ notice. The names and property locations were as follows:

<u>Owner</u>	<u>Location of Lot</u>
Jasper Indiana Congregation of Jehovah's Witness, Inc.	Replat of Paradise Place, Part of Lot 4
Oldin Lopez	Summit Heights, part of Lots 35, 36, 37 & 38
Dennis Burgdorf	Schumaker Sub div., Lots 27, 28, 29 & 30
Eike Bridge	805 Newton St., Second attempt
Jason & Carla Moore	1.20 acres along Truman Rd., Second attempt
K&M Development, Inc.	620 W. 6 <sup>th</sup> Street
Pat Brescher	Diamond Ridge Ests., Lots 6,7,10 & 31
Hook SupRx, Inc.	550 Hoffman Rd

Street Commissioner Eckerle reported that the code enforcement officer was now trained in taking over weed violation enforcement. He said the street department would continue to do the mowing of lots. City Attorney Hemmerlein stated that the ordinance specifically says the street department is in charge of enforcement and proposed amending the weed abatement ordinance to add the code enforcement officer. Hemmerlein also proposed adding some language if additional address information is obtained in the sending notice portion of the ordinance. She said this would aid in following the appropriate procedure to give appropriate notice.

On **motion** by Mayor Schmitt and seconded by Victor Knies, approval was given to recommend to the City Council to amend the Weed Abatement Ordinance as

detailed by the City Attorney to include the code enforcement officer and also amending the language to make the ordinance clearer. Motion passed 3-0.

### **RUBBISH COLLECTION SCHEDULE**

Street Commissioner Raymond Eckerle presented a Schedule for Rubbish Collections to go into effect June 14, 2006. He said rubbish would be picked up on Monday, Wednesday and Friday for residents on 13<sup>th</sup> Street and south of 13<sup>th</sup> Street and that rubbish would be picked up on Tuesday, Thursday and Saturday for residents north of 13<sup>th</sup> Street. He said residents would no longer have to call the street department to schedule pick-ups. He said this would be a more efficient way of collecting rubbish since the City is growing and the price of fuel is increasing. There followed some discussion about the ordinance as it presently says residents must make prior notice of pick-up. No action was taken to amend the ordinance.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, approval was given to accept the pick-up of yard waste and rubbish on a schedule as presented by the street commissioner effective June 14, 2006. Motion passed 3-0.

### **REPORTS**

**Surplus chipper.** Street Commissioner Raymond Eckerle presented a photo of the surplus chipper that had been re-built at the street department.

**Paving Report.** Street Commissioner Eckerle gave an update on the paving projects.

**West Nile Virus.** Street Commissioner Eckerle reported that a second round of inspections for mosquitoes has been made and larvicide has been applied for prevention of West Nile Virus where necessary.

### **COLOR COPIER**

Mayor Schmitt reported that a survey was made on whether the various city departments would use a digital color copier and that 13 of 17 said they would use a color copier. Mayor Schmitt recommended purchasing a color copier from Hoosier Business Machines for \$6,300 for City Hall. Schmitt said the price is a promotional offer and that the copier retails for \$12,340.00. He said the copier would be at City Hall, but other departments would have the opportunity to use it. He said all those departments would share in the cost of the machine.

On **motion** by Mayor Schmitt and seconded by Victor Knies, approval was given to purchase the color copier from Hoosier Business Machines for \$6,300 for City Hall and other city departments. Motion passed 3-0.

### **REPAIRS – CATERPILLAR HI-LIFT**

Street Commissioner Raymond Eckerle reported that the engine and radiator on the Caterpillar Hi-lift at the street department need to be reconditioned and repaired. He presented an estimate from Whayne Supply Company, the dealer, for \$20,183.00.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, approval was given to recondition and repair the Caterpillar Hi-Lift at the street department for a cost of \$20,183.00 from Whayne Supply of Evansville, Indiana. Motion passed 3-0.

**Reports.** City Engineer Chad Hurm gave an update on the Portersville Road Project

### **POLICE SERGEANT POSITION**

Police Chief Gunselman reported that since the promotion of Jeff Carie from police sergeant to assistant police chief, there was now a sergeant's position available. He requested permission to post that opening and to promote a patrol officer to the sergeant's position.

On **motion** by Mayor Schmitt and seconded by Victor Knies, approval was given to the police department to take the necessary steps to select a sergeant to fill the vacancy according to City policies. Motion passed 3-0.

### **HANDGUN LICENSING**

Police Chief Richard Gunselman reported that there has been a change in state statute that will affect the city's ordinance regarding handgun permits. He said at present when someone applies for a handgun permit, the police department gets \$10 for the application and \$20 is sent to the State Police. This is for a 4-year permit. Now, state law, effective July 1, 2006, will allow lifetime permits for hunting and target permits and personal protection permits. The Police Chief advised on changing the City's ordinance to reflect that of the State Statute. He said currently the City can only charge \$10 for the permits. He presented the price changes, which would be \$50.00 for the application fee and \$40 for the lifetime hunting and target permit. He said the City would still maintain the \$10 fee for 4-year permits. City Attorney Sandra Hemmerlein stated that the ordinance stipulated that fees were to be deposited into the Jasper Police Department Arms Fund or other appropriate training funds to be used exclusively for the purpose of training law enforcement officers. Hemmerlein stated that the state statute allows for the money to be used for firearms, fire related equipment or both and asked if the ordinance should be changed to add that language or if that was a conscious decision in the past that that the money should not be used for that. Mayor Schmitt thought it was a conscious decision not to use the money for equipment.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, approval was given to recommend to the City Council to amend the ordinance regulating handgun licensing fees to coincide with state statute and keep the fund purpose as is. Motion passed 3-0.

### **SEARCH CAMERA**

Police Chief Richard Gunselman reported that the police department had applied for a Federal grant to receive a Search Camera through the Commercial Equipment Direct Assistance Program. Gunselman presented a picture of the camera. He said this was a camera that could be used to search for victims in collapsed buildings after a tornado strike or other such incident. He said it would be safer for officers to search attics and crawl spaces. He said the equipment retails for just under \$14,000 and as part of the grant, transportation and lodging for an officer to attend a one-day seminar in Orlando, Florida would be provided. He said the department was successful in receiving that grant and that there was no cost to the department.

### **REPORTS**

Police Chief Richard Gunselman presented the following reports for review:

**Mill Street & Newton Street.** Street Commissioner Eckerle gave an update on the Mill Street project and the collapsed storm sewer pipe on Newton Street.

### **EASEMENTS**

City Attorney Sandy Hemmerlein presented the following easements for acceptance and approval:

#### ***Grant of Public Utility and Drainage Easements***

Andrew J. & Mary Ann Vogler – Part of the S15, T1S, R5W.

JASMO, LLC – Part of S15, T1S, R5W

Mary J. Fisher – Part of S15, T1S, R5W

Kenneth L. & Mary C. Schitter – Part of S15, T1S, R5W

Randall L. & Marilyn L. Burger – Part of S15, T1S, R5W

Marilyn L. Young – Part of S15, T1S, R5W

Arthur Randall & Cynthia Lynne Snyder – Part of S15, T1S, R5W

A **motion** was made by Mayor Schmitt and seconded by Victor Knies to approve and accept the easements as listed above. Motion passed 3-0.

### **OLD NATIONAL BANK PROPERTY**

Mayor Schmitt announced that earlier in the year the City Council had approved the purchase of the Old National Bank property at 6<sup>th</sup> and Mill Streets and that the City would take possession on Tuesday, June 14, 2006. He said the city would pay in two installments, one this year and the balance next year. He said the property would be used for parking.

### **CLAIMS**

Claims against the City from May 5, 2006 through June 8, 2006 were presented and examined by the board. Those claims found to be just, due, and owing were approved upon **motion** by Thomas Schmidt and seconded by Victor Knies. Motion carried 3-0.

### **ADJOURNMENT**

There being no further business to come before the board, a **motion** was made by Victor Knies and seconded by Thomas Schmidt to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 9:30 a.m.

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**Mayor William J. Schmitt**  
**Presiding Officer**

**Attest:**

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**Juanita S. Boehm, Clerk-Treasurer**

Cynthia Kluemper, Recording Secretary